



DC STATEHOOD FOR DEMOCRATIC RULE

“...In questions of power then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution.” – Thomas Jefferson.

The Constitution establishes the nation’s capital as a district, not a state. Unfortunately, Democrats refuse to “bind down from mischief” in their pursuit of political power. Instead, Democrats support a nationally unpopular strategy to secure single-party rule by admitting the U.S. capital as a state. Congress must oppose H.R. 51, the Washington D.C. Admission Act, which would cede portions of the District of Columbia to the new state of Washington, Douglass Commonwealth.

A 2021 *Rasmussen* poll found D.C. statehood is unpopular with 55% of Americans.¹ Previous polls suggest this opposition is historically consistent, with about 55% opposed in 1989 and 1992.² According to *FiveThirtyEight*, major drivers may be Americans’ opposition to changing the “makeup of Congress” and rejection of establishing a state in the seat of government.³ A record number of Democrats have cosponsored D.C. statehood in the 117th Congress.⁴

According to Judiciary Committee Ranking Member Jim Jordan (R-OH), “the Federal Government would be entirely dependent upon the new state of Washington, D.C., for water, for utilities, for infrastructure, communications, even police and fire services. By virtue of this relationship, this new state would have incredible power over the other states.”⁵

- **The Constitution and the Founding Fathers established a District to house the Federal Government**
 - Article 1, Section 8, Clause 17 of the Constitution establishes a neutral district under the exclusive authority of Congress. This allows the nation’s representatives to meet, debate, and vote on equal ground.
 - In Federalist No. 43, James Madison warns of the consequences of statehood in the nation’s capital, “not only the public authority might be insulted and its proceedings interrupted with impunity; but a dependence of the members of the general government on the State comprehending the seat of the government, for protection in the exercise of their duty, might bring on the national councils an imputation of awe or influence.”
 - The 23rd Amendment grants D.C. three electoral college votes in presidential races, the equivalent of the least populous state. The Congressional Research Service reports that residents of the White House would remain residents of the District of Columbia under H.R. 51, not the Douglass Commonwealth.⁶ Although the bill authorizes expedited consideration to repeal the 23rd Amendment, a successful repeal requires passing a constitutional amendment.⁷
- **D.C. Statehood breaks historic precedent to balance partisan power.**
 - The U.S. “hasn’t admitted new states since 1959, and the admission of Hawaii and Alaska that year was designed to balance what was at the time one new Republican-leaning state with one Democratic state. The D.C. and Puerto Rico statehood movements are naked attempts to enlarge the Democrats’ Senate

majority.”⁸

- “Even after the Civil War, states were often admitted two-by-two in Noah’s Ark fashion to preserve political equilibrium...In 1888, Democrats proposed admitting four states — Montana and New Mexico were presumed to favor Democrats, Dakota and Washington were counted in the Republican column.”⁹
- In 2009, Congress debated adding a House seat in Utah to balance political representation by adding a D.C. House seat.¹⁰
- **D.C. Statehood breaks historic precedent to balance partisan power.**
 - D.C. Democrats would secure two U.S. Senate seats and a seat in the House of Representatives as a new state. Democrat pro-abortion,¹¹ gun control,¹² and electoral reform interest groups claim statehood as a priority to secure political victories.¹³
 - The District is not currently self-sustainable. In FY2020, D.C. requested \$15.5 billion from Congress, and local revenue sources only account for half of D.C.’s funding sources.¹⁴
 - “Taxpayers nationwide currently foot the bill for the D.C. courts, unfunded pension liabilities, and the care and custody of D.C. prisoners. The District also receives other subsidies from the Federal Government, including \$45 million for the improvement of D.C. public school system.”
 - Democrats appear to acknowledge statehood fiscal challenges in the bill text. H.R. 51 would continue federal funding for these many services, including employee benefits, agencies, and college tuition assistance, until the commonwealth certifies that it is prepared to take over the authorities and responsibilities to conduct its affairs. Non-Democrat voters living in other states would therefore continue to fund the D.C. Democrat priorities they oppose.
- **Democrats are not motivated by representation for D.C. residents**
 - If H.R. 51 was enacted, the new Washington, Douglass Commonwealth state would replace Rhode Island as the geographically smallest state in the Union,¹⁵ with the third-lowest population count.¹⁶ It would also be the sole state with no rural population.¹⁷ Establishing statehood based solely on population size disregards other cities and counties – such as Los Angeles County, CA, Harris County, TX, or New York City, NY – with a population higher than D.C.
 - Congress has more precedent to secure state representation for D.C. residents by returning the land to Maryland and Virginia. The Alexandria Retrocession of 1846, for example, reversed Virginia’s cessation of land located south of the Potomac River to D.C.¹⁸

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¹ 55% Oppose D.C. Statehood. Rasmussen Reports. March 1, 2021.

https://www.rasmussenreports.com/public_content/politics/general_politics/february_2021/55_oppose_d_c_statehood

² Erin Doherty. Why Don’t Americans Want D.C. To Be A State. FiveThirtyEight. July 19, 2019. <https://fivethirtyeight.com/features/why-dont-americans-want-d-c-to-be-a-state/>. Moreover, Congress passed an amendment in 1978 granting congressional representation to D.C., which failed after only 16 states ratified it.

³ *Id.*

⁴ 214 House Democrats are cosponsors of H.R. 51 at the time of this brief.

⁵ H.R. 5151: Making D.C. the 51st State. Committee on Oversight and Reform. 116th Congress.

<https://www.govinfo.gov/content/pkg/CHRG-116hrg37974/html/CHRG-116hrg37974.htm>

⁶ Nina Burleigh. Biden and Democrats control Washington. And D.C. statehood should come next. NBCNews. February 8, 2021.

<https://www.nbcnews.com/think/opinion/biden-democrats-control-washington-d-c-statehood-should-come-next-ncna1257076> and Benjamin Wofford. Would DC Statehood Also Give the Trumps Three Electoral Votes? Washingtonian. August 10, 2020.

<https://www.washingtonian.com/2020/08/10/would-dc-statehood-also-give-the-trumps-control-of-three-electoral-votes/> and Mikaela Lefrak. 7 Reasons Why Some D.C. Residents Are Voting Against Statehood. WAMU. November 7, 2016.

https://wamu.org/story/16/11/07/why_some_dc_residents_are_voting_against_statehood/ and <https://docs.house.gov/meetings/GO/GO00/20190919/109960/HHRG-116-GO00-Wstate-ThomasK-20190919.pdf>

⁷ A constitutional amendment requires two-thirds majority in the House and Senate to pass, plus ratification by the states.

⁸ The Editorial Board. Pelosi’s Top Priority: Consolidating Power. The Wall Street Journal. January 14, 2021.

<https://www.wsj.com/articles/pelosi-top-priority-consolidating-power-11610667245> and Timothy Carney. Why Puerto Rico statehood makes much more sense to the public than does DC statehood. American Enterprise Institute. November 3, 2020. <https://www.aei.org/oped/why-puerto-rico-statehood-makes-much-more-sense-to-the-public-than-does-dc-statehood/>

⁹ After Republicans swept the congressional elections, “Democrats worried that Republicans might admit only two Republican states, so they agreed...Congress would admit one Democratic state (Montana), and three Republican ones” with Washington and the split Dakota territories, admitting New Mexico in 1912. https://newsadvance.com/opinion/editorial/bring-back-the-state-of-franklin/article_45cfba83-fd2a-58c1-a15e-3bb177be8d35.html and <https://www.vox.com/the-highlight/2019/9/18/20863026/dc-statehood-george-floyd-puerto-rico-statehood>

¹⁰ <https://www.vox.com/the-highlight/2019/9/18/20863026/dc-statehood-george-floyd-puerto-rico-statehood>

¹¹ <https://www.plannedparenthood.org/planned-parenthood-metropolitan-washington-dc/blog/access-to-abortion-and-dc-statehood-are-the-same-fight> and <https://dcabortionfund.org/2019/09/the-fight-for-d-c-statehood-is-a-fight-for-abortion-access/> and <https://www.bustle.com/p/why-dc-statehood-is-so-important-for-abortion-rights-18779761> and <https://thehill.com/opinion/civil-rights/451946-dc-statehood-is-necessary-to-fully-secure-right-for-women-to-choose> and <https://washingtoncitypaper.com/article/439857/republicans-are-worried-about-d-c-statehood/>

¹² <https://www.guns.com/news/2020/06/29/washington-d-c-statehood-is-a-gun-control-issue>

¹³ “Republicans aren’t wrong: Adding D.C. would be a power grab for Democrats, as much as it would be a bid to secure better representation for the people of the district. D.C. statehood could be the first test of how ruthlessly the Democrats plan to use the power they have won.” <https://www.nbcnews.com/think/opinion/biden-democrats-control-washington-d-c-statehood-should-come-next-ncna1257076> and Robert Reich: “This growing imbalance can be remedied by creating more states representing a larger majority of Americans. At the least, statehood should be granted to Washington, D.C.” <https://robertreich.org/post/633141398961520640> and <https://indivisible.org/democracy-guide> and <https://www.vox.com/the-highlight/2019/9/18/20863026/dc-statehood-george-floyd-puerto-rico-statehood> and <https://www.theatlantic.com/politics/archive/2021/02/will-dc-become-state-year/618065/> and <https://www.washingtonpost.com/opinions/2021/01/29/dc-statehood-filibuster/> and

<https://centerforpolitics.org/crystalball/articles/statehood-for-washington-d-c-and-puerto-rico-background-and-political-implications/> and <https://theweek.com/articles/922029/democrats-are-finally-taking-senate-problem-seriously> and

<https://nypost.com/2020/09/18/democrats-want-to-add-new-states-to-lock-in-senate-control-forever/> and

<https://www.am950radio.com/counter-republican-gerrymandering-with-dc-puerto-rico-statehood/> and

<https://fivethirtyeight.com/features/can-democrats-win-the-senate-by-adding-states-its-been-done-before/>

¹⁴ <https://www.govinfo.gov/content/pkg/CHRG-116hhrg37974/html/CHRG-116hhrg37974.htm>

¹⁵ <https://www.worldatlas.com>

¹⁶ Currently, there are about 712,000 residents in the District of Columbia. Wyoming has the lowest population count, with about 580,000 residents. <https://www.statista.com/statistics/183497/population-in-the-federal-states-of-the-us/>

¹⁷ <https://theweek.com/articles/922278/case-against-dc-statehood>

¹⁸ <http://www.virginiaplaces.org/boundaries/retrocession.html> and <https://www.wsj.com/articles/why-not-give-washington-d-c-back-to-maryland-11595440424>